like to understand, if a person feels that law has been misused against him, then he can either fight it out in a court of law, or go straight to the Review Committee and say, "These are the facts; I have been unfairly dealt with" and the State committee or the Central committee can recommend to the Government saying, "Please take appropriate action." Is that the correct understanding of what the hon. Minister is saying? That is all.

श्री राजू परमार (गुजरात) : जो लोग दुरुपयोग कर रहे हैं, वे क्या कमेटी बनाएंगे !

श्री सभापति : उन्हें बोलने दीजिए। ...*(Interruptions)*...

SHRI L.K. ADVANI: May I add to what I have already said that I have it in mind to write to the State Government also that you must also form the Review Committees of your own also which take cognizance of all actions taken under the POTA...*(Interruptions)*... So far as your question is concerned, I have already replied to it.

SHRI S. VIDUTHALAI VIRUMBI (Tamil Nadu) : Sir, I will take one minute. ...*(Interruptions)*...

MR. CHAIRMAN : Now, we shall take up the Half-an-hour discussion. Shri Santosh Bagrodia.

HALF-AN-HOUR DISCUSSION

Points arising out of the answer to starred question no.49 given in the Rajya Sabha on the 20th February, 2003 regarding rise in telephone rental

SHRI SANTOSH BAGRODIA (Rajasthan) : Finally, I thank you, Sir, for allowing me to raise this very burning question of rise in telephone rentals. In a few seconds, through you, Sir, I will try to prove to the entire satisfaction of the hon. Minister that whatever decision the TRAI has taken is absolutely anti-people, anti-poor and pro-rich.

[THE DEPUTY CHAIRMAN in the Chair]

The increase in rental, call tariff, etc., in respect of fixed telephone lines has been very steep. The number of free calls has been reduced to almost half and the pulse rate is also proposed to be brought down from 180 seconds to 120 seconds, which means a one-third increase in call rates. Further, the rate of call has also been increased from the existing 80 paise per call to Re.1 and Re.1.20. Broadly, the proposed revision in the rental and call tariff would make fixed telephones costlier by almost two times. The

dispensation of the TRAI seems to be against the interests of the common man and pro-rich and upper class. How has the TRAI arrived at such a decision to revise the rental and call charges for the landline users? Why have the BSNL and MTNL not moved the Tribunal against any decision, order or direction of the Authority? What alternatives are there with you? I know you might give some packages. But it is not a question of packages. The question is only of higher rates. You can definitely stick to the same rates. You can decide not to make any changes. Maybe, you want it, or, you are also in favour of it. It appears that the BSNL and the MTNL are also a party or are in agreement with the decision of the TRAI because then you can probably disinvest. You are the Minister for both the Departments. It will help you to disinvest it. They can still continue with the old rates and terms. The developed countries, in fact, give packages in which local calls are absolutely free. Madam, what is the occasion or what are the circumstances, which led to the decision to hike the rental and call tariff for landline users when mobile services are becoming cheaper? Would it not lead to drift of public from fixed line to mobile? Everybody tells me, "We do not want any fixed lines." You know, one of the hon. Members has just now mentioned and earlier also it was mentioned in this House, that 20 lakh telephones have been disconnected or have been surrendered all over the country. They will be surrendering more and more. So, you have to see that how you are going to maintain the density of telephones like this. What is the thinking of the Government in permitting private players in landline business and whether moves like the present one would simply expedite the passage of landline business in the private hands? You mentioned this today morning also. We have no control over these people. They will never go to the villages. The result will be that the telephones, which are in the villages, will be completely disconnected. The dream of Rajiv Gandhi would not be fulfilled if you go on increasing the rates of the landlines. I will prove it to your satisfaction how these rates are going on. On a two minute call from fixed network to Cellular network, there is a total charge Rs.2.40 out of which only 0.80 paise is paid to cellular operator and BSNL retains Rs.1.60. On the other hand, in a two minute call from fixed line to WLL (M), the total collection is only Rs.1.20 of which 0.80 paise is payable to WLL (M) and retention by the BSNL is only 0.40 paise. So, there is a loss of 0.80 paise. Therefore, it is absolutely clear that by this clever discrimination and differentiation, the Regulator has put an additional burden on the BSNL to subsidise the WLL (M) services. This has to be seen very clearly that you are subsidising the rich at the cost of the poor. Now I come to the

origination and termination charge for long distance calls. From cell to cell it is Rs.2.99 and from landline it is Rs.4.80. The private line, etc., will become Rs. 6.1 paise, whereas the WLL to WLL will become only 40 paise! If you continue like this, I would, Madam, through you, like to say, Mr. Minister, landlines will become so uneconomic and you would never, in life, be able to compete with the WLL people. If you want to scrap the landlines completely, for all time to come, please increase rates. Otherwise, let them remain as it is. You have to decrease the rates. Everyday, all the rates, in the country, are coming down. Only rates of landlines are going up! I cannot understand why. Madam, crores and crores of people are using these lines. Poorest of the poor are also using the landline -- not cell phones. How many people have got cell phones? Have you got any comparative chart on this? Or, have you got any statistics showing how many people have the WLL? If you see even today's news item in Hindustan Times, it also says that the cell subscribers' base has gone up. In one month, the base of the cell subscribers' has gone up by 50 per cent; whereas, the landlines are going down. Why? Obviously, it is less expensive. The present status is that the services are not made available in rural areas and, therefore, the objective of teledensity is not achieved at all. The WLL people are working only in big towns, not in the suburban areas. And, even the cell operators are not going to villages. It is only the landline which is there. If landlines are disconnected, what would be the fate of the communication system in the country?

Madam, coming to the cost aspect, I would submit, the services have become very expensive. On an average, a customer is paying an amount of, approximately, Rs. 600 per month, which, definitely, is not an affordable amount for the masses. I am not talking about the WLL. Even Rs. 600 per month is very high. I would like to know from the hon. Minister whether the inter-connect users charges, fixed for various service, are cost-based? The authority has fixed a termination charge of 30-40 paise per minute for calls terminating on a cellular operator's network in metro circles. I am not going into the details. You understand it. If you can just explain and clarify whether such charges are based on the cost of respective services or for all the services.

Then, Madam, I come to the definition of 'Limited Mobility.' What is the definition of Limited Mobility? The definition is, "Limited mobility service as offered by FSPs has to be non-substitutable with the cellular mobile service offered by CMSPs." Mr. Minister, you -- When I say 'you',

Mr. Minister, I mean the Government -- have taken thousands and thousands of crores of money as various charges and now, suddenly, you make them uncompetitive? What will happen to the infrastructure that this people have developed? The most fundamental difference between mobile services offered by CMSPs and WLL (M) Services offered by FSPs is in the character of the mobility in the two services, and not the geographical limit or extent of the mobility services alone. This fundamental difference, in the character of the mobility management functions, is derived from the fact that CMSPs deploy MSC, VLR & HLR with an interface between BSC to MSC, while FSPs are not allowed MSC as they are only allowed PSTN architecture.

The next point is, non-deployment of Mobile Switching Centre (MSC and VLR) and Home Location Register (HLR). I am not going, again, into the details because you have spent five hours to understand the whole thing. I am sure, you understand what I am trying to say. The FSP licence requires that it should not be possible to authenticate and work with the subscriber terminal outside the SDCA. This can only be enforced if there is no MSC and HLR, besides mobile interfaces protocols. As per TRAI, FSPs can offer WLL (M) services only on the condition that PSTN architecture is not tampered with; whereas, it is not happening.

Madam, Wireless Access System providing WLL (M) services, in an SDCA, must connect directly to the local exchange of that SDCA only using V 5.2, or, an improved version of this interface i.e., V 5.3 or V 5.4 as and when released internationally.

Then, I come to the next point. The mobility is limited up to the maximum limit of SDCA; whereas, it is not happening in reality.

The next point is there is a clear differentiation between the two services i.e., WLL (M), which can offer only those services that are derived from the local exchange and not from an MSC. My next point is that roaming is with regard to roaming. Roaming is not permitted, either directly or indirectly. Through multiple registration, or, using any other name, the handset should not work outside the SDCA. Then, there should not be any use of word 'mobile' in any branding/advertisement of limited mobility...*(Interruptions)*...

THE DEPUTY CHAIRMAN : I think you have read the entire Telecom Policy.

SHRI SANTOSH BAGRODIA : Because, it is totally misleading. I have nearly finished, Madam, because you had taken my responsibility that would be in time. So, I have to be in time.

THE DEPUTY CHAIRMAN : Yes, you have to be in time.

SHRI SANTOSH BAGRODIA : Madam, I would take just one or two minutes at the most. Only this morning I saw in the newspaper that the net tariffs have further been extended from 8 p.m. to 8 a.m. I welcome all these things. There is no problem in it. But please do not do it at the cost of landline phone. You are reducing these rates, there is no problem in it. But do not increase the rates of landline phones. That is what is important. And, you mentioned about the TRAI that this had been created by this House, please don't make it a holy cow. After all, the elected representatives are responsible for the welfare of common man. We do not have to simply sit behind and say, "Oh! They have done it, we are helpless." If there is any lacuna in the system, please remove it. You are a Minister. Bring out an amendment. We will consider that. We will accept that amendment. But you have to bring that amendment, if you find that the TRAI is not listening to you. After all, supervision should come from the Executive. Everything is not for big cities. What is your plan for rural areas, if you go on increasing the rates like this? And, the most important factor is how do we serve the common man. The Minister should look into it. He has said that -- off the record, of course -- and he will, probably, say it now that he will give some packages. But I am not so much interested in packages. I want an assurance that there will be no increase in the present rates. Of course, if those packages are such that the charges of each local call made by an ordinary citizen of the country goes down, then I will welcome this package. If it goes up even by a quarter per cent, well, I don't think this will be fair, and I don't think the Ministry will be doing its job properly.

SHRI SANJAY NIRUPAM (Maharashtra) : Madam, ...

THE DEPUTY CHAIRMAN: Please put only specific questions.

श्री संजय निरूपम : उपसभापति महोदया, आपका बहुत-बहुत धन्यवाद कि आपने मुझे बोलने का समय दिया । महोदया, इतना याद दिला सकता हूं कि पिछले हफ्ते जब प्रधानमंत्री महोदय यहां पर जवाब दे रहे थे, राष्ट्रपति महोदय के अभिभाषण के धन्यवाद प्रस्ताव पर चर्चा हुई थी उस समय उन्होंने कहा था कि यह कनेक्टिविटी का युग है । चार तरह की कनेक्टिविटी की उन्होंने बात की थी । एक टेलीकाम कनेक्टिविटी की बात भी थी । कनेक्टिविटी बढ़नी चाहिए, सरकार इस तरह का प्रयास कर रही है । ट्राई का जो ताजा निर्णय एक अप्रैल से लागू होने जा रहा है इससे कनेक्टिविटी कैसे बढ़ सकती है ? जैसे-जैसे टेलीफोन टैरिफ बढ़ता जाएगा उसका सीधा असर टेली डेन्सिटी पर आएगा । यानी सरकार की एक निर्धारित नीति, जिसके हिसाब से हमें टेलीकाम कनेक्टिविटी बढ़ानी है, टी.आर.ए.आई के निर्णय के जरिए उस नीति का सीधा उल्लंघन किया जा रहा है । क्या मंत्री महोदय को इस इस बात का अहसास है ? सेल फोन और डब्ल्यू.एल.एल. इन दोनों के बीच पिछले दो-चार महीनों से घमासान लड़ाई चल रही है । उस लड़ाई में स्थिति यह है कि सेलफोन लगातार सस्ते होते जा रहे हैं । डब्ल्यू.एल.एल. को किसी तरह से मार्किट में आना है ...(**व्यवधान**)...

उपसभापति : आप सिर्फ सवाल पूछिए । उन्होंने इसकी बहुत बड़ी भूमिका बना दी है ।

श्री संजय निरूपम : मैं भूमिका नहीं बना रहा हूं ।

उपसभापति : नहीं, I am strictly going by the rule that you can only put a question, if it adds to what he has asked. No background is allowed, under the Half-an-Hour Discussion. That is the strict limitation that I have.

SHRI NILOTPAL BASU (West Bengal) : Madam, ...

THE DEPUTY CHAIRMAN : No. Your name is not there. You didn't ask for it. It is not a discussion in the normal sense. It is a Half-an-Hour discussion. If you wanted, you could have given your name before we had started the discussion. ...*(Interruptions)*... No, you may be. I don't dispute that you are a Member of this House, at all. But there are certain rules. If you people violate the rule, and then you blame the Chair, I am not going to take it.

SHRI NILOTPAL BASU: I am not blaming, Madam.

THE DEPUTY CHAIRMAN: Later, you may blame. I am pre-empting it.

SHRI NILOTPAL BASU: No, Madam. I am just craving for your indulgence.

उपसभापति : आप सवाल पूछिए, मुझे इसे 15 मिनिट में खत्म करना है ।

श्री संजय निरुपम (महाराष्ट्र) : मैडम, सवाल पूछता हूं । उपसभापति महोदया, जिस प्रश्न के ऊपर यह चर्चा हो रही है, वह 20 फरवरी का 49 नंबर का प्रश्न था, उस दिन अरुण शौरी जी ने अपने जवाब में बताया था कि अगर टैरिफ का निर्णय है, तो सरकार खिलाफ नहीं जाएगी । सरकार कुछ नहीं कह सकती है, टी0डी0सैट0 में जाया जा सकता है । उस टी0डी0सैट0 में अफेक्टेड पार्टी जाएगी । अब अफेक्टेड पार्टी में बी0एस0एन0एल0 और एम0टी0एन0एल0 भी हैं । मैं ने बी0एस0एन0एल0 और एम0टी0एन0एल0 से पूछा तो उन्होंने कहा कि सिर्फ अभी रिव्यु कर रहे हैं, स्टडी कर रहे हैं । मैं आप से जानना चाहता हूं कि आप बी0एस0एन0एल0 और एम0टी0एन0एल0 को टी0डी0सैट0 में जाने के लिए क्यों नहीं बोलते? आम आदमी, लैंड लाइन का उपभोक्ता है, एम0टी0एन0एल0 व बी0एस0एन0एल0 का उपभोक्ता है, वह टी0डी0सैट0 में क्यों जाए ? आखिर वह क्यों गुहार लगाए ? सरकार की तरफ से पहल क्यों नहीं हो रही है ?

दूसरी बात नीलोत्पल बसु जी ने जो सवाल पूछा था, उस का जवाब देते हुए आप ने बताया था कि नेशनल टेलिकॉम पॉलिसी के सेक्शन 25 के अनुसार अगर टी0आर0ए0आई0 का कोई डिसीजन जनता के हित के खिलाफ है तो सरकार बिल्कुल डायरेक्शन दे सकती है । उस डिसीजन को रोक सकती है, बदल सकती है । महोदया, टेलिफोन के सब से बड़े उपभोक्ता अगर किसी सेक्टर में हैं तो वे बेसिक टेलिफोन सेक्टर में हैं । इसलिए निश्चित तौर पर यह आम आदमी के हितों के खिलाफ जा रहा है । इस में आम आदमी की जेब से पैसा खींचा जा रहा है । जब टैक्नॉलोजी लगातार सस्ती होती जा रही है तब आप उस टैक्नॉलोजी की सेवा को महंगी करते चले जा रहे हैं । तो ऐसी स्थिति में टेलिकॉम पॉलिसी के सेक्शन 25 को फॉलो करते हुए "टी0आर0ए0आई0 को कृपया इस निर्णय को बदलने का आदेश दें । यह मेरा बुनियादी प्रश्न है । हम तो यही चाहते हैं कि 1 अप्रैल को टी0आर0ए0आई0 का यह निर्णय लागू होने से पहले सरकार एक भूमिका स्पष्ट कर दे कि आम आदमी के ऊपर लैंड-लाइन की जो टैरिफ बढ़ायी गयी है, उस की वजह से जो असर पड़ रहा है, उस असर से उसे मुक्त किया जाएगा और जिस तरह से सेल्युलर और डबल्यू0एल0एल0 के रेट्स नीचे जा रहे हैं बिल्कुल उसी तरह से बेसिक टेलिफोन के रेट्स अगर नीचे न जाएं तो कम-से-कम उन्हें बढ़ाने की जरूरत नहीं है । मैं यह निवेदन करने के लिए खड़ा हुआ हूं ।

उपसभापति महोदया, अब चूंकि आप अलाउ नहीं कर रही हैं, इसलिए मैं बाकी बातें नहीं कर रहा हूं । बुनियादी तौर पर हमारी इच्छा यही जानने की है कि क्या टी0आर0ए0आई0 के इस निर्णय को तत्काल रद्द करने के बारे में कोई ठोस आश्वासन इस सदन को दिया जा सकता है ?

श्री बालकवि बैरागी (मध्य प्रदेश) : मैडम, मेरा भी एक प्रश्न है ।

उपसभापति : नहीं, इस तरह तो बहुत हो जाएंगे । फिर यह डिस्कसन हो जाएगा । पूछिए क्वैश्चन ।

श्री संजय निरुपम : मैडम, यह भी तो एक डिस्कसन है ।

उपसभापति : देखिए मैं आप को अलाउ कर दूंगी, लेकिन अभी नहीं । The same rule applies to you also. If I allow you, I will have to allow him first. The point is, the rule says that only a Member, who gives his name, is allowed to speak.

SHRI NILOTPAL BASU : Madam, I accept it.

THE DEPUTY CHAIRMAN : I am happy that you are accepting something. The main thing is, he has asked everything in great detail. Are you going to add anything to it, or, subtract anything?

SHRI NILOTPAL BASU : Madam, I want to add something.

THE DEPUTY CHAIRMAN : Then, only put questions. ...*(Interruptions)*... Never mind, the discussion has a certain limit. Here, discussion means putting questions, not any other thing. नीलोत्पल जी, आप जल्दी पूछिए before I change my mind.

SHRI NILOTPAL BASU : My first question is this. In order to improve the tele-density in the rural areas, which has come under a great threat, I would like to know whether the Government is going to transfer the Rs. 17,000/- crores of USO levy fund, which it has collected from companies operating in the basic services sector, in proportion to their performance record.

Secondly, I would like to know whether the Government will apply the principle, on the basis of which it had earlier also given an affidavit to the court, that there is a basic service and there is a mobile service. In between, the licensees who are having basic service licences, they are offering mobile services, which is not acceptable to the licenser. And as a licenser, the Government will intervene and not allow that particular operator, who is operating mobile servicing, but not having mobile service licences. It will affect the growth of rural tele-density, and tele-density among sections of people who are outside the urban areas.

श्री बालकवि बैरागी : मैडम, मेरा एक छोटा सा प्रश्न है । मैं माननीय मंत्री महोदय से जानना चाहता हूं कि यदि आप की यह नीति जारी रही और आप ने टी0आर0ए0आइ0 के फैसले

को नहीं रोका... उपसभापति महोदया, मेरा एक बहुत छोटा सवाल है। मैं मंत्री महोदय से यह निवेदन करना चाहता हूँ कि यदि आपकी यह नीति जारी रही और आपने ट्राई के फैसले को नहीं रोका तो आने वाले चार, पांच, छह महीनों के भीतर आपके विभागों के उन अधिकारियों और कर्मचारियों की, जिन्होंने यह सारी दूरसंचार क्रांति देश को दी है और राजीव गांधी जी के सपने को साकार किया है, उनकी तनख्वाहें बांटने के भी आपको लाले पड़ जाएंगे। यह बिल्कुल आप सिर पीट रहे हैं, जनता अपना सिर पीट रही है। मैं आपसे यह निवेदन करना चाहता हूँ कि देहातों के कनेक्शन एक एक किलोमीटर वाले तक तो आप दे नहीं पा रहे हैं और सारी इंडस्ट्री को निजी लोगों के हाथ में ट्रांसफर कर रहे हैं। इस तरह से तो आप देहात की सेवा नहीं कर सकेंगे और इस क्रांति को नष्ट करने के बहुत बड़े कलंक से आप अपने आपको बचा नहीं सकेंगे। मैं मंत्री जी से यह जानना चाहूंगा कि क्या आपने कभी इस पर विचार किया है? और, ट्राई के इस फैसले को रोकने के लिए आप कोई पेशकश कर रहे हैं या नहीं कर रहे हैं?

THE MINISTER OF COMMUNICATIONS AND INFORMATION TECHNOLOGY AND MINISTER OF DISINVESTMENT (SHRI ARUN SHOURIE): Madam, I will just be brief on 2-3 points. With your permission, I will begin with Universal Service Obligation Fund, and, then, come to the four other points which have been made. Madam, it is absolutely true that not Rs.17,000 but Rs.1720 crores or so were collected from the service providers for extending various kinds of services, especially to the rural areas, and, in particular, for the maintenance of the VPTs. Madam, this amount has been collected. It has been received, and it is a fact of life that we were hoping that this would come in the Budget provision itself. We were, then, advised by the competent law authorities that it requires an amendment to the Telegraph Act of 1885. I am happy to inform that we have drafted the amendment. It has been sent to the Law Ministry, and in the second half of this Session, we will be coming to this House. Once it is approved, the Fund will be created, and the organisation already exists. But, in the interim period, the Finance Minister has been kind enough to give us Rs.300 crores to commence that service for which tenders were called on 23rd of February. Then, tenders were opened. All the six parties had submitted their tenders -- it may be six or seven. All the persons who were already providing this service in their circles had quoted. Their quotations were found to be within the price ranges that had been contempated, and as Mr. Basu has just now said, the funds will be distributed strictly in proportion to the services that they are providing already for the care of the VPTs. This is on the Fund Madam. I hope that I will have the quickest endorsement of this House the moment we come with the amendment for creating that Fund.

Madam, the second point which is actually not germane to the subject of discussion, because the subject of discussion is the order of TRAI, but, since a senior Member has raised the question of limited mobility versus non-limited mobility, and how the cellular providers were now being shortcircuited by the same facilities being given to others, who have not paid the enormous entry fees, I would like to reply to this. This is the point often made in this battle between Reliance and other companies. And, I was somewhat forewarned by the details to which you referred, Madam, that the Member was reading. They are verbatim the details of the Cellular Operators' Association which were made to me in the meeting, point by point. Therefore, Madam, I had convened a meeting of these warring groups. We had a seven hours meeting which was most productive, and one of the outcomes of that has been that they have been talking to each other, rather than shouting at each other through media. I am very happy to report that the temperature in the telecom sector, which is one of the growth sectors of the country, has come down. It so happened that in the last meeting which took place, I think, about 5-6 days ago, the Cellular Operators' Association gave a definition of the conditions on which they would be prepared for a settlement out of court, and the definition of mobility which they gave was exactly the definition which was read out to us-- that if you define limitedness in this way as the Member has read out, then we will accept; otherwise, we will not accept. Madam, if they do not accept, there is an easy way out and that is, that the case that has already been filed before the TD SAT will go on. Nobody's prestige is involved. If they can get together, fine; if they can't get together, there is a forum which is presided over by an ex-Judge of the Supreme Court, and that is the proper forum which you have enacted. So, they will go back to that, and the Judge has said that on the 17th of March, he will lay down the schedule for the hearings. So, I will not comment on their comments because, Madam, the Government will be taking a legal position in line with the earlier affidavit on the question of the definition of limitedness, whether it is in conformity with the 1999 Telecom Policy, whether it is in conformity with the internal communications with the Department of Telecom sent to TRAI on the definition of limitedness. I would like to make just one point. You see, it is not a very good idea to list the points made only by one side because, in fact, we must have licences that are based on the selling of spectrum, not on the selling of service, by service, by service in the end, not just now. We should contemplate -- all of us together should contemplate -- because that is the scare resource which the Government sells; the 'spectrum'. But

what has happened is this. The licences have been given over-time and any one who acquires the licence then tries to freeze the situation right there. Now, technology is advancing, especially, in this sector so rapidly ...*(Interruptions)*...

SHRI NILOTPAL BASU : Would you just yield for a moment?

SHRI ARUN SHOURIE : Madam, I said that I have to catch a flight. So, if you permit me, I would like to finish it.

THE DEPUTY CHAIRMAN : Mr. Basu, he has to catch a flight. Let him complete.

SHRI NILOTPAL BASU : Okay; Madam.

SHRI ARUN SHOURIE : We could return to the subject again and again. I will certainly come back to you. Madam, we will be taking a stand before the TD SAT also on the legal positions of limitedness, and, I think, there will be ...

Now, Madam, on the main subject regarding the question of the TRAI's order, I would like to say that there is a misconception which has been spread. This is a point which was being made by the Finance Minister earlier. 'We frighten ourselves about every development.' The fact of the matter is that these are ceilings, these are not the rates which everybody has to obey; these are the ceilings beyond which no service-provider can go. Now, when I say that the BSNL and the MTNL will strive their best to peg their rates much lower than the ceilings, I am actually giving you advanced information of what they are attempting to do. Now, the fact of the matter, Madam, is that both the BSNL and the MTNL have given packages which will meet many of the concerns that have been expressed in this House on that day of the Question Hour as well as now by the mover of this particular discussion. You said that I should not make the holy cows of things, but, you, after all, have set up the Regulator, and if I do not go by that regulation, then I am really violating the laws which you have enacted. We are just now told that the body which you have set up,

I should not treat that as a holy cow. But you have set it up, you have given it some powers. ...*(Interruptions)*... Now, the point is that the BSNL and the MTNL have submitted alternate schemes of tariffs. These address precisely the problems that you have drawn attention to. I am, unfortunately, not able to disclose the precise details of the elements because of a notification of the TRAI on January 22, 2002. In that notification, which is an order by which the Government is bound by the authority you have given to TRAI, they say, "No new tariff plan, or any change in the existing tariff, for any telecommunication service, or part thereof, which requires approval of the authority prior to its implementation, shall be announced through any media, prior to approval of that tariff plan, or any change in the existing tariff by the authority." I would love to take credit though I will yield always to the CMDs of the BSNL and MTNL. I do not like the Ministers taking credit for what they are doing. They will be announcing the tariff, but we are in active discussion, they are in active discussion with the TRAI on the alternate packages by which all these concerns will be taken care of. Mr. Bagrodia has very rightly mentioned, our concern is migration. So, in its order TRAI has given what it calls 'forbearance' in regard to cellular operators. They can charge as low a rate as the market would like. But basic service providers have not been given that facility. So, if we peg it slightly high, then, as Shri Sanjay Nirupam was mentioning the other day in the case of Mumbai, migration becomes very intense. So, we are very concerned about these matters, and that is why we have proposed a set of tariffs which will meet these concerns. Madam, with your permission, I will take just two minutes more and make two important points. The first is, we should not set up regulators because we are transiting from the licence quota regime to a regime of free competition in which public sector, private sector and private sector companies will all compete with each other. This will require sturdy and independent empires. That is why we are setting up these regulatory bodies. It is not a good idea to set them up and then to keep tugging and pulling at them. This TRAI's intervention in tariffs has been going on since 1999. They had, what they called, a rebalancing exercise between tariffs. It was to be completed in two steps. The final stage was in 2002. Now, they have come out with another thing, which is precisely cost-based because you say, infrastructure must be developed, tele-density must increase. The *sine qua non* for that is that there must be investment in this sector. Investment has slowed down. How will investment come if the rates are not profitable for the potential investors, including BSNL and MTNL? You keep saying BSNL should

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extend to villages. But by the types of things you are proposing and by the migration, which is being imposed upon them because of competition, the BSNL will not have the funds to extend the network. I will give you figure. In the Tenth Plan -- probably nobody has noticed -- BSNL has been given Rs.1 crore a year -- Rs.5 crores for five years for the entire work. Why? Because they were raising Rs.12,000 crores a year in surplus till 1999-2000. After the competition, after the good things that have happened because of the collapse of rates by 48 per cent in STD and 62 per cent in ILD. .. ...*(Interruptions)*...

SHRI NILOTPAL BASU : Just minute. ...*(Interruptions)*...

SHRI SANTOSH BAGRODIA : You are talking of different rates. The question is only ...*(Interruptions)*... Don't give details. ...*(Interruptions)*...

THE DEPUTY CHAIRMAN: This is not the way of discussing. ...*(Interruptions)*... Let him finish. ...*(Interruptions)*...

SHRI ARUN SHOURIE: Please let me finish. ...*(Interruptions)*... I am telling you what the position is. When the surplus of BSNL goes down from Rs.12,000 crores to Rs.6,000 crores this year and because of this competition of rates, it cannot maintain rates nigher for other calls that is called excess deficit. What is the deficit? Wherever there are costly services, they have to be met from somewhere. Now, they used to be met from charges from STD and from International Long Distance (ILD) telephony. Those rates are coming down in the world because of these private operators. Therefore, the amount available to BSNL for financing the expansion of the network for replacing analogous exchanges by digital exchanges, for replacing mar technology which -- many Members there will remember -- has turned out to be a dud in many parts of the country; which was gone into, which was bought in big ways; now every set has to be replaced, every exchange has to be replaced. The funds available to BSNL will not be there. Now, in the case of a fixed line, it costs on the calculations made by the most responsible authorities, it costs almost Rs.18,000 per line -- WLL capital cost. The rental that is being charged today, for which everybody's heart is bleeding, is Rs.50 per month -- Rs.600

per year. It means, you will require 30 years to recover the capital cost on that fixed line. The obsolescence is six to seven years. Where will this fund come from if we just freeze in the name of the poor, in the name of the common man all the rates. And we thereby, make the telecom sector also a sick sector, like the power sector. We have kept power rates low. People are promising free power in Andhra Pradesh, not giving it in Karnataka. But promising free power, and therefore, making power investment uneconomical, nobody invests in power, and the country is short of power. Therefore, I believe, Madam, that please wait till packages are approved by TRAI, which BSNL and MTNL have given; you will find that they are very imaginative, they address the concerns of senior citizens, they address the concerns of the rural things. The main point which had happened in the TRAI order which, in our enthusiasm only on rates, we all missed was, a change in the definition of 'rural.' Madam, it is quite surprising how we have missed this.

SHRI SANTOSH BAGRODIA : That has not been missed.

SHRI ARUN SHOURIE : आप पूछ रहे थे कि कितना केलकुलेशन है। There are one crore rural subscribers today. Of them, 80 lakhs would have become non-rural subscribers under the new definition, which TRAI had accepted. For three days, we have reasoned with them, and I am very happy to report, that yesterday, they issued an order by which they went back to the original definition of the rural areas, and that whole thing which would have really put a jolt on everybody who is having a phone in the rural area, has been avoided.

THE DEPUTY CHAIRMAN : Does the very expensive farm-holder around Delhi also among the rural area?

SHRI ARUN SHOURIE : Madam, I have to see. There is a definition in that. ...*(Interruptions)*... I do not know whether the rural areas are that way. ...*(Interruptions)*...

श्री संजय निरुपम : मैडम, आपने कहा कि सिर्फ क्वेश्चन पूछिए। अगर क्वेश्चन का जवाब नहीं आयेगा तो ...**(व्यवधान)**...

THE DEPUTY CHAIRMAN : No,no. The discussion was for Half-an-Hour. Half an hour is over. Whatever you might say, it shall have no meaning. ...*(Interruptions)*... This is not the way. I have to have Special Mentions. ...*(Interruptions)*...

श्री संजय निरुपम : मैडम, मेरा सवाल सिर्फ इतना है। ...**(व्यवधान)**...

उपसभापति : नहीं, कोई सवाल नहीं। मंत्री जी, आप जाइये। डिसकसन हो गया। ...**(व्यवधान)**... डिसकसन हो गया।

श्री संजय निरुपम : मैडम, ...**(व्यवधान)**... मैडम, ...**(व्यवधान)**...

उपसभापति : अब कोई सवाल नहीं। खत्म हो गया। चलिए। ...**(व्यवधान)**...

श्री संजय निरुपम : मैडम, एक हजार कॉल्स के लिए 1325 रुपया पे करना पड़ता है। ...**(व्यवधान)**...

उपसभापति : हो गया। अब कोई सवाल नहीं। ...**(व्यवधान)**... Mr. Sanjay Nirupam, It is not going on record. It is over. ...**(व्यवधान)**... आप बैठ जाइये। आप बहुत डिस्टर्ब करते हैं। ...**(व्यवधान)**... Mr. Moolchand Meena, your name is not there. I have not identified you. Please don't do this, because, this is not a very good way of being a good parliamentarian. It will only be recorded as a noise in the House. So, let me handle it. आप बैठ जाइये। आधा घंटे का डिसकसन था। Besides you, I allowed two extra Members. That is enough. Half-an-hour is over and the discussion has concluded. ...*(Interruptions)*... हमने नहीं पूछा है। हम क्यों पूछें ! हमें किसी ने सवाल पूछने के लिए नहीं बिठाया है। I am not going to ask anything. आप बैठिए। ...**(व्यवधान)**... आप बैठ जाइये। आप बैठ जाइये। It is not going on record. It will not be recorded at all. There is a reason for doing things. आप अगली बार पूछ लीजिएगा। आज हाउस बंद होकर फिर खुलने वाला है। हाउस जन्मभर के लिए साइने डाई नहीं हो रहा है। I am putting a very simple question to you, Mr. Moolchand Meena? आप किस गरीब की बात कर रहे हैं? कौन सा? ...**(व्यवधान)**... मैं आपको बताऊं। ...**(व्यवधान)**... आप बैठिए।

Are you talking about the marginal farmers or the landless who are poor or are you demanding it for the rich farmers who live in the villages?

Okay. मंत्री जी आप जाइये। Let us identify to which category of farmers we are lobbying for. Now, the admitted Special Mentions. If the House wants, I will read out all the 33 names or if you want, I can lay them

on the Table of the House. What do you want? If you want, I will read it out.

SHRI SANTOSH BAGRODIA : Madam, those who are present, you read out their names.

SPECIAL MENTIONS

THE DEPUTY CHAIRMAN : I do not know who is present. I will read out the names.

1.	Dr. C. Narayana Reddy (Nominated)	Problem of brain drain from the country.
2.	Dr. Ramendra Kumar Yadav 'Ravi'(Bihar)	Request for approval of National Highways proposals of Bihar.
3.	Shrimati N.P. Durga (Andhra Pradesh)	Request for setting up of a Regional National Savings Institute at Hyderabad.
4.	Shrimati Vanga Geetha (Andhra Pradesh)	Demand for renovation of Sri Bhimeswara Swamy temple in East Godavari district of Andhra Pradesh.
5.	Shri M.V. Rajasekharan (Karnataka)	Request for exempting small scale rural industries from application of VAT.
6.	Shri Eduardo Faleiro (Goa)	Request for amending the Official Secrets Act, 1923.
7.	Shri Motilal Vora (Chhatisgarh)	Bad effects of polluted water on health.
8.	Shri K. Rama Mohana Rao (Andhra Pradesh)	Request to ban gelatin and electric detonators in the country.
9.	Prof. M.M. Agarwal (Uttar Pradesh)	Need for implementing population control measures in the country.